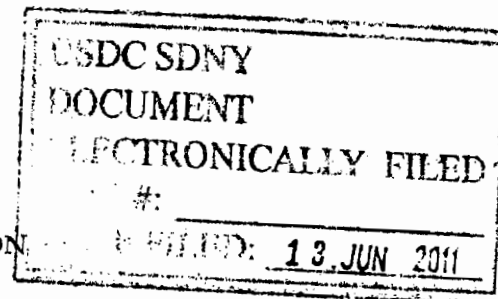




UNITED STATES
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June 8, 2011

BY FACSIMILE

Honorable Laura Taylor Swain, U.S.D.J.
United States District Court
Southern District of New York
40 Centre Street, Room 1205
New York, New York 10007-1581

MEMO ENDORSED

Re: SEC v. Amerindo Investment Advisors Inc., et al.,
05-CV-5231 (LTS) (S.D.N.Y.)

Dear Judge Swain:

I am counsel for the plaintiff Securities and Exchange Commission ("SEC") in the above-captioned action and write to provide Your Honor with an update. As noted in the staff's previous letters, the parties have been awaiting the Forfeiture Order in the parallel criminal action to become final upon the resolution of investor petitions. The United States Attorney's Office ("USAO") has advised the staff that they have successfully resolved all but one of petitions on a consensual basis, and that there is now an agreement in place with the final petitioner's counsel whereby the petition will be withdrawn. Upon the resolution of the final petition, the staff and the USAO expect to promptly resume discussions with defendants' counsel concerning a "global" settlement whereby the Department of Justice would distribute forfeited Amerindo assets to Amerindo investors. Accordingly, the staff, joined by Mr. Vilar's counsel, respectfully requests that Your Honor reschedule the status conference scheduled for Wednesday, June 15, 2011 until July 29, 2011, in order to provide time for the parties to resume discussions. Please advise if any further information would be of assistance to the Court.

The conference is adjourned to
July 29, 2011, at 3:00 pm.
The SEC is directed to inform Mr.
Tanaka of the adjournment; a
copy of this memorandum endorsed
order will be mailed to him by the Court.

Respectfully submitted,

Mark D. Salzberg
Mark D. Salzberg
Senior Counsel

SO ORDERED.

NEW YORK, NY

June 13, 2011

Laura Taylor Swain
LAURA TAYLOR SWAIN

UNITED STATES DISTRICT JUDGE

Copies mailed/mailed to
Chambers of Judge Swain

Mr. Tanaka

6-13-11

Honorable Laura Taylor Swain
June 8, 2011
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